## TTAB

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

TAKE-TWO INTERACTIVE SOFTWARE, INC.,

Opposer,

v.

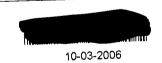
JMBP, INC.,

Applicant.

Opposition No. 91170262 Serial No. 78976391

APPLICANT'S CONSENTED MOTION TO CONSOLIDATE OPPOSITION **PROCEEDINGS** 

Commissioner for Trademarks To: P. O. Box 1451 Alexandria, VA 22313-1451



U.S. Patent & TMOfc/TM Mail Ropt Dt. #22

Comes now Applicant, JMBP, Inc. ("JMBP"), with the consent of Opposer, TAKE-TWO INTERACTIVE SOFTWARE, INC. ("TAKE-TWO"), and requests that this Opposition be consolidated with Opposition No. 91170222 (Application No. 78431325), Opposition No. 91170263 (Application No. 78976392) and Opposition No. 91172299 (Application Nos. 78976773, 78976774 and 78976775).

This Consented Motion is being sought because the parties agree that all of the above-referenced Opposition proceedings involve the same Opposer, the same Applicant, the identical trademark (ROCKSTAR) and common questions of law and

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fact. A consolidation of the Oppositions will result in significant economies by providing for the same testimony periods, and a single brief, hearing and decision. The parties have consented to this motion because they believe in good faith that no prejudice or inconvenience to the parties will arise from a consolidation.

Applicant has concurrently filed Applicant's Consented Motions To Extend Discovery and Testimony Periods wherein Applicant has requested that all such periods in each Opposition be unified and reset to the deadlines in Opposition 91172299.

Dated: October 2, 2006

THE HECKER LAW GROUP, PLC

Ву

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## **CERTIFICATE OF MAILING**

This is to certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No.EL668340026US in an envelope addressed to: TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on: October 3, 2006

| Shahalani K Neusano | 10-3-06 |
|---------------------|---------|
| Shaholonie Newsome  | Date    |

Certificate of Service 1 2 U.S. PATENT & TRADEMARK OFFICE TRADEMARK TRIAL AND APPEAL BOARD 3 Opposition No. 91170262 4 I am employed in the County of Los Angeles, State of California. I am over 5 the age of 18 and not a party to the within action. My business address is: The 6 Hecker Law Group, 1925 Century Park East, Suite 2300, Los Angeles, California 90067. 7 On October 3, 2006 I caused to be served the attached document: 8 APPLICANT'S CONSENTED MOTION TO CONSOLIDATE OPPOSITION 9 **PROCEEDINGS** 10 by placing a true copy thereof in a sealed envelope addressed as follows: 11 12 Fred H. Perkins MORRISON COHEN LLP 13 909 Third Avenue New York, NY 10022 14 15 X **BY MAIL** I caused such envelope with postage thereon fully prepaid to be placed in the 16 United States mail at Los Angeles, California. 17 Executed on October 3, 2006 at Los Angeles, California. I declare that I am 18 employed in the office of a member of the State Bar of California at whose 19 direction the service was made. 20 21 22 23 24 25 26 27 28 CERTIFICATE OF SERVICE